



## **UT Southern Campus Policy: Facility Usage for Authorized Events**

### **Office of Budget and Finance & Office of Student Affairs**

#### **Indoor Facility Usage Policy for Authorized Events**

##### **Purpose, Scope, and Intent:**

The purpose of this policy is to provide a uniform basis upon which the University of Tennessee Southern (“UTS”) can regulate the use of University facilities and/or property. University facilities are intended for official events of the Institution sponsored by student organizations and academic and administrative departments. These events cover a range of sponsorships and, according to the purpose and sponsorship, are 1) assigned a priority in scheduling and 2) charged for services and rental depending on the event. Outside individuals and agencies must be sponsored through a University unit in order to use University facilities when they are available, and these facilities usages will incur a reasonable rental fee and a fee for services. UTS reserves the right to withhold approval of any requested space and/or equipment, establish financial charges for said use, reassign any space, or impose any requirements related to insurance, safety, security, or maintenance. Facilities requests may be made on a space-available basis, as determined by the University and in accordance with event priority. A list of University facilities and property available for reservation is available in the Office of Campus Event Services. In establishing this policy, UTS recognizes the importance to the educational process and environment for persons affiliated with UTS, including officially recognized student organizations and other groups, to have reasonable access to and use of UTS’s educational facilities to hear various views. Simultaneously, UTS also makes clear that its facilities are not open public forums but are instead intended solely for use consistent with the advancement and orderly administration of its educational mission for the benefit of its students, staff, and affiliated entities

In carrying out its mission, UTS desires to ensure that space is readily available for University activities and functions as well as the functions of its Affiliated Entities. In certain, more limited circumstances, UTS also desires to allow Non-affiliated Entities to use certain portions of its property and/or facilities

UTS regulates its property to preserve it for the advancement of these missions. while exercising sound fiscal management over its properties and managing them in the best interests of UTS and the State of Tennessee. For those reasons, UTS regulates the use of its property to focus on UTS’s mission; to provide a safe campus environment free from disruption; in particular, to assure that use of UTS Property by Non-Affiliated Persons does not impede student education,

academic activities, research, scheduled events, UTS functions, residences, or the faculty/staff work environment; and to preserve the aesthetics of UTS's grounds.

The requirements of this Policy apply to all contracts for the rental of UTS Property entered into by the Office of Campus Event Services. In addition, usage of University property is subject to all University rules, policies, and procedures, including this University Facility Usage for Authorized Events policy, and is subject to any relevant federal, state, and local laws.

## **Definitions**

### **Authorized Events**

The definition of an Authorized Event, for the purpose of this Policy, is an event that is organized by and scheduled through an Authorized Event Organizer (see below), that is properly sponsored if sponsorship is required (section Sponsorship Requirements), and that has a fully confirmed space reservation request from the Office of Campus Event Services. All Authorized Events are subject to the requirements of UT fiscal policy.

### **Authorized Event Organizers**

The following five groups of authorized users are defined as "Authorized Event Organizers" and are responsible for scheduling reservations for Authorized Events through the Office of Campus Event Services.

- University registered student organizations
- University units, departments, and offices
- Members of the Board of Trustees
- Government officials acting in their official capacities
- Persons or entities invited by the University

### **Non-Affiliated Person**

Any person or entity who is not a UTS unit, student, registered student organization, or employee as defined by University Policy HR0105.

### **Types of Events**

This policy applies to the following types of events:

- **University-Initiated Events.** These are events that are initiated and organized by an Authorized Event Organizer. A University-Initiated Event is not considered an Authorized Event until it meets the criteria listed in (section Authorized Events above).
- **Non-University-Initiated Events.** These are all events that are not University-Initiated Events. A sponsor is required as explained in (section sponsorship requirements below). Once a sponsor is confirmed, the reservation process through the Office of Campus Event Services may commence. A Non-University-Initiated Event is not considered an Authorized Event until it meets the criteria listed in (section Authorized Events above).
- **Un-sponsored Events by Non-Affiliated Persons.** The sponsorship requirements (section sponsorship requirements below) do not apply to the activities of Non-Affiliated

Persons as permitted by Tenn. Comp. R. & Regs. § 1720-01-12.06 & -07(1)-(3), but the remainder of the requirements of these Guidelines remain applicable to such activities to the extent applicable.

### **UTS Property**

All land, grounds, structures, facilities, and any other physical property owned, controlled, or operated by UTS.

### **Sponsorship Requirements**

UTS's Office of Campus Event Services are not authorized under Tenn. Comp. R. & Regs. § 1720-01-12.07(4) to enter into contracts for the rental of UTS Properties to Non-Affiliated Persons whose proposed activities on UTS Property are not Authorized Events. Except as provided by Tenn. Comp. Regs. 1720-01-12.06 & 07(1)-(3), all Non-University-Initiated Events must be sponsored by an Authorized Event Organizer. The event sponsor must be identified as the sponsor responsible for the event.

The responsible sponsoring party requesting event space through the Office of Campus Event Services must plan the event and be present at the event. A sponsor may not "front" for another organization for the purpose of securing a venue at no cost or reduced fees for a Non-University-Initiated Event. For example, a community group or for-profit entity may not utilize a registered student organization to reserve a venue unless the event is planned by the student organization and open to students. Authorized Event Organizers who violate this requirement may be barred from using UTS Property.

### **Requesting a Space**

The inventory of indoor and outdoor spaces to which this Policy applies is maintained with the Office of Campus Event Services. Reservation requests for these spaces are requested through the Office of Campus Event Services.

Reservation requests should be submitted through the Office of Campus Event Services at least 14 business days prior to your meeting or event. Requests submitted less than 14 business days prior may be denied on the basis of insufficient notice. This requirement is in place to ensure that the availability of University resources is sufficient to support the event request.

This requirement will not be applied in a way that prohibits spontaneous outdoor assemblies or outdoor distribution of literature in permitted locations except to the extent such an outdoor location has been reserved by an authorized user in advance.

Once an indoor or outdoor space request has been approved, a confirmation email is sent to the requestor. Please remember the reservation is not final and your event location should not be publicized until this confirmation is received from the Office of Campus Event Services.

The Office of Campus Event Services (931-363-9882) describes the process by which reservations are made and lists the policies governing the allocation space for events.

## **Responsibilities of Users**

Once an event ends, the space used for the event must be left in the same (or better) condition as when the event began. If clean-up or repairs are needed following an event, the user will be assessed supplementary charges to recover the cost of clean-up or repairs. Users whose events repeatedly incur these supplementary charges may be prohibited from using UTS Property and/or may be subject to additional charges.

## **Usage Fees**

A schedule of the rental fees associated with the use of indoor spaces for events is published by the Office of Campus Event Services online. This schedule is subject to change.

### **University-Initiated Events**

- It is the University's intent that no rental fee will apply to use of the University's indoor/outdoor spaces for University-Initiated Events initiated and organized by an Authorized Event Organizer. However, there are spaces with fee structure exceptions because they are dependent on generating revenue to support the facilities. Such facilities would include those that house Auxiliary units or those which are funded outside of normal operating E&G funds.
- In order for a facility to implement a fee structure or guideline that is different than referenced in this policy and be included in the list below, a proposal must be submitted to the University Space Committee for consideration and approval.
- A listing of spaces with approved fee structure exceptions is published by the Office of Campus Event Services at (931-363-9882). This listing is subject to change.
- Cost-recovery charges associated with specific staffing requirements, specific set-up and break-down requirements, or specific equipment needs are limited to those approved by the Vice Chancellor for Finance and Administration or Associate Vice Chancellor for Student Affairs.
- Additional cost-recovery charges may also apply when a special-use space has specific staffing requirements (e.g. security) or when a University-Initiated Event in special-use space has specific set-up and break-down requirements or specific equipment needs (e.g. specialized audio-visual or IT equipment). These cost-recovery charges may vary based on the special-use space.
- Supplementary charges may apply as per Section 5 above and in compliance with Tenn. Code Ann. § 49-7-2405(a)(15) and state and federal law.

### **Non-University-Initiated Events**

- For Non-University-Initiated Events in indoor/outdoor spaces, rental fees vary by location. A schedule of the rental fees associated with the use of indoor/outdoor spaces for events is published by the Office of Campus Event Services. This listing is subject to change.

- Cost-recovery charges associated with specific staffing requirements, specific set-up and break-down requirements, or specific equipment needs are limited to those approved by the Vice Chancellor for Finance and Administration or Associate Vice Chancellor for Student Affairs.
- Additional cost-recovery charges may also apply when a special-use space has specific staffing requirements (e.g. security) or when a Non-University-Initiated Event in special-use space has specific set-up and break-down requirements or specific equipment needs (e.g. specialized audio-visual or IT equipment). These cost-recovery charges may vary based on the special-use space.
- Supplementary charges may apply as per Section 5 above and in compliance with Tenn. Code Ann. § 49-7-2405(a)(15) and state and federal law.

## **Contract**

Non-University-Initiated Events must be scheduled through rental contracts entered into by the Office of Campus Events Services that contain standard terms and conditions.

## **Payment**

When rental and/or event support fees apply to a Non-University-Initiated event, a deposit of 25% of the estimated rental fees and estimated supplementary or event support charges must be paid to secure the space reservation.

Payment in full must be made at least ten (10) business days prior to the event, unless the Office of Campus Event Services has made an exception. Failure to meet requirements may result in cancellation of the event.

## **Cancellation Policy**

Users must cancel reservations for indoor space they plan to not utilize. Penalty fees for failing to cancel a reservation in a timely manner will be specified in the event contract for Non-University-Initiated Events. Authorized Event Organizers may forfeit their reservation privileges and/or may be subject to additional charges if they do not cancel their reservation in a timely manner.

## **Equipment Usage**

The user, not the University, is responsible for securing equipment for the event. The user must specify, through the reservation process, any equipment needs and/or any special arrangements provided by the Facilities Services Department. All equipment and services are subject to applicable fees and charges.

## **Food Catering**

Food is permissible in some indoor spaces, but during and after the event, the space must not be damaged by any food preparations. Also, all recyclables, compostable, and landfill waste must be collected and disposed of in the proper fashion and removed from the site at the conclusion of the event. Metz is the preferred campus caterer and their contact number is 931-424-4064. University-Initiated Events and Non-University-Initiated Events may utilize outside licensed caterers. However, the following locations are exclusive to Metz for events that request catering: UTS Dining Hall, FireHawk Café, and all areas adjacent to dining locations.

These guidelines must be followed at all Outdoor Events:

- Cookers and grills must have proper protection underneath to ensure there is no damage to grass or stains on pavements or concrete.
- All grease or other hot liquids must be transported off campus and properly disposed in accordance with state and local guidelines.
- All patrons and event organizers must clean up after the event and properly dispose of trash and recyclable items.

## **Alcohol Policy**

The dispensing and consumption of alcohol must be in accordance with the campus alcohol policy. Although these guidelines are written for the campus community, other authorized users and visitors must comply with the policy as well.

## **Parking**

Parking, at times, is extremely limited based on the location, date, and time of the event. All arrangements for parking must be made through Safety and Security, 931-424-2055. A Parking Maps can be obtained from Safety and Security.

## **Amplified Sound**

Noise restrictions may be in effect at certain times and in certain locations. Amplified sound for any event at any time must be approved by the Office of Campus Event Services to ensure the noise level is compatible with and does not unreasonably interfere with or disrupt other campus activities. The Office of Campus Event Services or UTS Safety and Security reserves the right to require the event sponsors to reduce the volume at any event.

## **Other Usage Guidelines**

At the conclusion of an indoor event, the event space shall be left in the same condition as it was before the event.

# Outdoor Facility Usage

## Inventory of Outdoor Spaces

Outdoor spaces on the UTS campus that are available for events and meetings must be reserved through the Office of Campus Event Services at least seven (7) business days prior to the event date; provided, however, that this requirement will not be applied in a way that prohibits spontaneous outdoor assemblies or outdoor distribution of literature in permitted locations except to the extent such an outdoor location has been reserved by an authorized user in advance. The most commonly used outdoor spaces have been identified below; however, the list may not be all-inclusive and is subject to change. In order to add or remove an outdoor space location to or from the list below, a proposal must be submitted to the University Space Committee for consideration and approval.

## Outdoor Space Locations:

- Basketball Court
- Campus Green
- Colonial Hall Lawn
- Disc Golf Course
- Fire Pit
- Intramural Field
- Pool Deck
- Reveille Lawn North (Back)
- Reveille Lawn South (Front)
- UTS Columns
- Upperman Quad
- Volleyball Court

## Tent Usage

The use of tents, if handled inappropriately, can be very damaging to campus outdoor spaces. This damage can be caused by both installation as well as sun and water blockage. The following restrictions are in place to prevent damage.

- Tent stakes to stabilize a tent are prohibited (unless approved by the Office of Campus Event Services).
- Tents may be set up the day prior to the event between 9am and 5pm and must be removed by 10am the day after the event. However, the user must ask to secure these pre and post setup and removal times.
- Events requiring a tent for more than 2 days will need to make special arrangements with the Facilities Services Department by contacting the Office of Campus Event Services at (931-363-9882)

## **Bathroom Access**

- The outdoor spaces do not have designated bathrooms. The user should make arrangements through the office coordinating the outdoor space reservation to have Security open a building for bathroom access. There may be a charge associated with bathroom access. The other option is to arrange to have portable units delivered to the site. Please note, these units must be removed at the conclusion of the event.

## **Change of Location/Right of Refusal**

The Office of Campus Event Services reserves the right to not approve an event or to cancel a reservation in the event there is a facility, health, or safety issue that requires appropriate action. Such decisions will not be made based on the viewpoint of speech and/or the identity of the presenter(s). The Office of Campus Event Services reserves the right to make necessary changes in location as needed to accommodate the needs of the campus. Every effort will be initiated to provide ample notice of any changes.

The Office of Campus Event Services reserves the right to cancel or postpone any outdoor event if weather conditions jeopardize the safety or security of faculty, staff, students, guests, or equipment. Fees may still apply even if the event is cancelled.

## **Security/Insurance**

The UTS Safety and Security will be notified of all events scheduled through the Office of Campus Event Services. UTS Safety and Security and the Office of Campus Event Services shall determine if the event requires any security staffing needs. This may include police, UTS Security, emergency management, or other certified staffing requirements. To the extent permitted by Tenn. Code Ann. § 49-7-2405(a)(15) and state and federal law, the event sponsor/organizer is responsible to pay the cost associated with providing security and other appropriate event staffing.

For Non-University-Initiated Events, the Licensee shall provide policies of insurance issued by companies authorized to do business in the State of Tennessee. Licensee shall also provide a Certificate of Insurance (COI) naming the University of Tennessee as an additional insured under the policies in the following amounts: Minimum policy limits of \$300,000 per person and \$1 million per occurrence, the term of such coverage to coincide with the dates of this agreement, including load-in and load-out. (The COI should be provided to the Office of Campus Event Services as part of the Licensee's event request record no later than 10 business days prior to the event start date).

The University is self-insured under the provisions of the Tennessee Claims Commission Act, T.C.A. Sections 9-8-301, et. seq., which provides for a limited waiver of the State's sovereign immunity in specified cases, up to \$300,000 per claimant and \$1,000,000 per occurrence. Any liability of the University for damages, losses, or costs, arising out of or related to acts performed by the University under a contract is governed by the provisions of said Act.

## **Reservation of Rights Clause**

The University Space Committee representing the UTS campus reserves the right to make any final decisions on all matters not covered by the policies outlined above, as well as the right to change, alter, and/or rearrange parts or all of these policies at any time.

## **Exemptions**

The sponsorship requirements of this Policy do not apply to the use of UTS Property by governmental entities, such as the City of Pulaski, and UTS may make UTS Property available to governmental entities at an agreed rate or without compensation.

## **Interpretation**

This Policy is intended to be applied consistently with and in compliance with all applicable laws and policies, including the First Amendment to the United States Constitution, Article I Section 19 to the Tennessee Constitution, Tenn. Comp. R. & Regs. § 1720-01-02 (Regulation on Use of University Property) and § 1720-01-12 (Regulation on Use of University Property by Non-Affiliated Persons for Free Expression Activities), Board Policy BT0021 (Policy Affirming Principles of Free Speech for Students and Faculty), and Tenn. Code Ann. 49-7-2401 et seq. (the Tennessee Campus Free Speech Protection Act). No decisions made in applying the terms of this Policy should be made on the basis of the viewpoint of any person who wishes to engage in free expression activities. Any questions about the applicability of these laws or the proper interpretation of this Policy should be addressed to the Office of the General Counsel.